

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF Delaware,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND HUMAN
SERVICES, et al.,

Defendants.

DECLARATION OF JOSETTE D. MANNING, ESQ.

I, Josette D. Manning, Esq., declare as follows:

1. I am a resident of the State of Delaware. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by the Delaware Department of Health and Social Services (DHSS) as Cabinet Secretary and have held this position since July of 2023.

3. As DHSS' Cabinet Secretary, I am responsible for the administration of all duties of my department including overseeing the implementation of the Governor's policies and priorities. DHSS improves the quality of life for Delaware's citizens by promoting health and well-being, fostering self-sufficiency, and protecting vulnerable populations. Each of the ten divisions within DHSS provides essential services to meet our mission. DHSS has over 4,000 full time employees and total budget/spending authority of over \$5 billion.

4. Upon information and belief, I aver items 5 through 75.

5. Our department recently received six (6) award terminations from the U.S. Department of Health and Human Services, Administration for Community Living, Centers for Disease Control, and the Substance Abuse and Mental Health Services Administration. The total value of the terminated awards was \$38,556,637.56. All terminations were purportedly "for cause" based on the end of the COVID pandemic, rather than failure of DHSS and its divisions to follow the terms or conditions of the grants. Descriptions of each award and the effects of these terminations follow.

Delaware Division of Public Health: Addressing COVID-19 Health Disparities Among Populations at High-Risk and Underserved, Including Racial and Ethnic Minority Populations and Rural Communities Grant (Health Disparities Grant)

6. In 2020, the Department of Health and Human Services, Centers for Disease Control and Prevention invited applications for COVID Health Disparities.

7. The purpose of this grant was to provide funding to address COVID-19 and advance health equity (e.g., through strategies, interventions, and services that consider systemic barriers and potentially discriminatory practices to at risk populations).

8. As set out in its grant proposal, DHSS, Department of Public Health (DPH), intended to use the COVID Health Disparities Grant during the 24-month grant award to: 1. Expand existing and/or develop new mitigation and prevention resources and services to reduce COVID-19 related disparities among populations at higher risk and that are underserved; 2. Increase/improve data collection and reporting for populations experiencing a disproportionate burden of COVID-19 infection, severe illness, and death to guide the response to the COVID-19 pandemic; 3. Build, leverage, and expand infrastructure support for COVID-19 prevention and control among populations that are at higher risk and underserved; and, 4. Mobilize partners and collaborators to advance health equity and address social determinants of health as they relate to COVID-19 health disparities among populations at higher risk and that are underserved.

9. The grant start date was June 1, 2021, and had an end date of August 29, 2026; the total received was \$24,903,685.00.

10. Since June 2021, DPH has used the COVID-19 Health Disparities grant funds in a manner fully consistent with Centers for Disease Control and Prevention's statements regarding the nature of the grant and DPH's grant application.

11. These funds have been essential in supporting healthcare providers, public health professionals, and community organizations, and ensuring a coordinated, data-driven approach to improving health outcomes.

12. As of March 24, 2025, the agency has \$4,184,923.07 in remaining funds, with a performance end date of May 31, 2026. These funds were designated to support several key initiatives aimed at strengthening public health and community well-being. Expenditures are drawn each Monday from Payment Management System (PMS), with the next scheduled draw to this coming Monday, March 31, 2025.

13. We have consistently demonstrated a strong track record of timely and accurate submissions in accordance with the grant requirements. All required reports and documentation have been submitted on schedule, meeting or exceeding the expectations outlined in the grant guidelines. Our agency has a history of ensuring compliance with all relevant deadlines and reporting standards, and we have maintained a high level of accountability throughout the course of this project. We a proven history of successful grant management, with previous award continuations and successful completions of projects in earlier cycles. This ongoing commitment to excellence underscores our capacity to meet the expectations set forth in the grant and to continue delivering quality results.

14. Our agency has a strong history of successfully receiving approval to extend or repurpose funds for non-COVID needs, aligning with evolving public health priorities and ensuring that resources are used effectively to address emerging challenges. We have worked closely with funding bodies to gain approval for reallocating funds toward critical initiatives such as whole-person centered disease prevention efforts.

15. On March 25, 2025, without any prior notice or indication, the Centers for Disease Control and Prevention informed DPH that effective March 24, 2025, its Activities to Support State, Tribal, Local, and Territorial (STLT) Health Department Response to Public Health or Healthcare Crises grant was being terminated as of March 24, 2025. A true and correct copy of the Notice of Award providing the termination notice is attached as Exhibit A.

16. According to the Termination section of the Terms and Conditions of Award at page 5 of Exhibit A:

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

17. DPH noticed several irregularities regarding the termination notice. The Grant Action Notice (GAN) was received outside of business hours at 7:12 AM, which is unusual. Additionally, the GAN was sent after the termination date; while the termination date was indicated as March 24, the notice was actually received on March 25. Furthermore, the GAN lacked crucial information, specifically regarding the appeal rights and process, which is typically included in such notices. These discrepancies raised concerns about the timeliness and completeness of the termination communication.

18. DHSS relied and acted upon its expectation and understanding that the Centers for Disease Control and Prevention would fulfill its commitment to provide funding it had awarded to DPH.

19. The sudden and unexpected termination of this funding, without prior notice, has caused significant hardship. It has hindered our ability to meet obligations to contractors and other partners, leaving us unable to complete critical work in preparing for future health crises or building the necessary public health infrastructure. The lack of timely communication or notice of the funding change disrupted our operations, created uncertainty for our stakeholders, and jeopardized the progress made toward our objectives. This unexpected setback has not only affected our ability to fulfill our commitments but has also impaired our capacity to continue addressing pressing public health needs.

20. Prior to the grant award termination on March 24, 2025, the Centers for Disease Control and Prevention had never provided DPH with notice, written or otherwise, that the grant administered by DPH was in any way unsatisfactory.

Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Community Health Workers Grant

21. In 2020, the Department of Health and Human Services, Centers for Disease Control and Prevention invited applications for COVID Health Disparities.

22. As set out in its grant proposal, DPH intended to use the Community Health Workers Grant to strengthen the Community Health Worker (CHW) workforce and infrastructure through various initiatives.

23. The grant start date was June 1, 2021, and had an end date of November 30, 2025, total received was \$9,000,000. These funds were not set to expire until 08/29/2026.

24. The project has successfully completed many of its objectives, though some components are still in progress. Community Health Workers (CHWs) have been successfully integrated into several organizations, including Henrietta Johnson Medical Center, La Red, New Castle Prevention Coalition, Westside Family Healthcare, YWCA, Delaware Coalition Against

Domestic Violence, and Nemours, all of which were selected through a formal bidding process. These organizations have carried out their responsibilities, providing monthly reports, conducting screenings, and tracking progress toward goals. The project is on track to conclude on August 31, 2025.

25. As of March 24, 2025, \$4,263,936.79 in remaining funds committed by HHS were allocated to support ongoing public health initiatives, with a performance end date of November 30, 2025. These funds were intended to strengthen the Community Health Worker (CHW) workforce and infrastructure through initiatives such as board development for the Community Health Worker Association, training programs to establish CHW pathway agencies, and technical assistance on sustainable funding models for CHW work. Additionally, a public awareness campaign was planned to promote CHW certification, along with operational expenses for printing, supplies, and equipment. A key component of the funding was the establishment of a Pathways Community Hub, designed to improve care coordination and connect individuals to essential health and social services. Furthermore, the funds supported 33.5 CHW positions across six organizations, including federally qualified health centers and community-based organizations, ensuring continued healthcare access and public health support in underserved communities. Expenditures are drawn each Monday from PMS, with the next scheduled draw to this coming Monday, March 31, 2025.

26. We have consistently demonstrated a strong track record of timely and accurate submissions in accordance with the grant requirements. All required reports and documentation have been submitted on schedule, meeting or exceeding the expectations outlined in the grant guidelines. Our agency has a history of ensuring compliance with all relevant deadlines and reporting standards, and we have maintained a high level of accountability throughout the course

of this project. We have a proven history of successful grant management, with previous award continuations and successful completions of projects in earlier cycles. This ongoing commitment to excellence underscores our capacity to meet the expectations set forth in the grant and to continue delivering quality results.

27. On March 25, 2025, without any prior notice or indication, the Centers for Disease Control and Prevention informed the Division of Public Health that, effective March 24, 2025, its Community Health Workers grant was being terminated as of March 24, 2025. A true and correct copy of the Notice of Award providing the termination notice is attached as Exhibit B.

28. According to the Termination section of the Terms and Conditions of Award at page 4 of Exhibit B:

Termination: The purpose of this amendment is to terminate this award which is funded by COVID-19 supplemental appropriations. The termination of this award is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of the date set out in your Notice of Award.

29. The agency/entity noticed several irregularities regarding the termination notice. The Grant Action Notice (GAN) was received outside of business hours at 7:12 AM, which is unusual. Additionally, the GAN was sent after the termination date; while the termination date was indicated as March 24, the notice was actually received on March 25. Furthermore, the GAN lacked crucial information, specifically regarding the appeal rights and process, which is typically included in such notices. These discrepancies raised concerns about the timeliness and completeness of the termination communication.

30. DHSS relied and acted upon its expectation and understanding that HHS would fulfill its commitment to provide Community Health Workers grant funding it had awarded to DPH. DPH structured work plans, coordinated with contractors, and made significant investments based on this understanding, including efforts to integrate CHWs into key organizations, support public health education, and strengthen preparedness for future public health emergencies. The sudden and unexpected termination of this funding, without prior notice, has caused significant hardship. It has hindered our ability to meet obligations to contractors and other partners, leaving us unable to complete critical work in preparing for future health crises or building the necessary public health infrastructure. The lack of timely communication or notice of the funding change disrupted our operations, created uncertainty for our stakeholders, and jeopardized the progress made toward our objectives. This unexpected setback has not only affected our ability to fulfill our commitments but has also impaired our capacity to continue addressing pressing public health needs.

31. The termination of funding for 33 CHWs will result in significant harm to both the workers and the communities they serve. These CHWs have been essential in providing health services during the pandemic, including education, vaccination, and outreach, particularly in underserved populations. Their job loss will cause economic hardship for the workers and their families, destabilize the delivery of vital health services, and erode trust in healthcare systems in these communities. Vulnerable populations will face increased health disparities, as the CHWs' absence will disrupt critical pandemic response efforts and long-term health initiatives. Despite efforts to secure alternative funding, the sudden termination leaves insufficient time to find solutions, causing an immediate loss of employment and a breakdown in health infrastructure.

32. Prior to the grant award termination on March 24, 2025, the Centers for Disease Control had never provided the Division of Public Health with notice, written or otherwise, that the grant administered by the Division of Public Health was in any way unsatisfactory.

COVID-19 Carryover Activities - Immunization Grant

33. Since June 2021, DPH has used the COVID-19 Carryover Activities - Immunization Grant funds in a manner fully consistent with the Centers for Disease Control and Prevention's statements regarding the nature of the grant and DPH grant application.

34. The Immunization Program utilized this funding to support a number of initiatives to educate and influence Delawareans to receive COVID-19 vaccinations. Expenditures are drawn each Monday from PMS, with the next scheduled draw to this coming Monday, March 31, 2025.

35. There is \$2.7 million dollars of obligated funding as of March 24, 2025, and these funds were obligated to supporting nine (9) personnel positions, with a cost of \$388,000. The remaining amount was obligated toward contractual services, which included temporary employment, outreach services, advertising and information technology services.

36. The immunization program at DPH has never missed a deadline, has maintained compliance requirements and timely reported to the Centers for Disease Control and Prevention. Changes in funding will reduce staffing, reduce vaccine access, and decrease access to vaccine by clinical providers across the state.

37. The last two years, the program has been able to utilize COVID funding for immunization related services by requesting funding amounts and providing a justification for services. The most recent request was submitted on February 7, 2025.

38. On March 25, 2025, without any prior notice or indication, the Centers for Disease Control and Prevention informed DPH that effective March 24, 2025, its grant was being terminated as of March 24, 2025. A true and correct copy of the Notice of Award providing the termination notice is attached as Exhibit C.

39. According to the Termination section of the Terms and Conditions of Award at page 5 of Exhibit C:

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

40. DPH relied and acted upon its expectation and understanding that the Centers for Disease Control and Prevention would fulfill its commitment to provide funding it had awarded to DPH. Contracts for Community Based Organizations (CBOs) will be impacted, personnel will not be available to assist providers in acquiring vaccines and service-line impacts will be significant across the public and private sectors statewide.

41. The Immunization Program was utilizing funding to enhance the state’s capability to manage vaccine preventable disease tracing with connectivity to immunization data, which has not been accomplished in this state before. Funding was also being utilized to provide media plans to reinforce the efforts to maintain proper immunization level for all Delawareans, and to decrease the levels of vaccine hesitancy within the state. Without this funding, the health of Delawareans is in jeopardy.

42. Prior to the grant award termination on March 25, 2025, the Centers for Disease Control and Prevention had never provided DPH with notice, written or otherwise, that the grant administered by DPH was in any way unsatisfactory.

Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) Grant

43. In 2020, the Department of Health and Human Services, Centers for Disease Control and Prevention issued supplemental COVID-19 funding through the existing Epidemiology & Laboratory Capacity Cooperative Agreement to Delaware.

44. The purpose of these supplemental grant awards was to provide funding to address COVID-19 response through expanded surveillance and detection of the SARS-CoV-2 virus via collection, testing, training, data system enhancements, outreach, education, and contact tracing among other capacity-building initiatives such as expanding the Public Health Laboratory.

45. As set out in its grant proposal, DPH intended to use the award to 1. address health disparities; 2. enhance laboratory, surveillance, and other workforce capacity; 3. strengthen laboratory testing; advance electronic data exchange at Public Health labs; 4. improve surveillance and reporting of electronic health data; and 5. use laboratory data to enhance investigation, response, and prevention; coordinate and engage with partners.

46. The supplemental awards start date ranged from May 2020 and had an extended end date of July 31, 2026; the total received was \$129,000,000.00.

47. Since 2020, DPH has used the ELC grant funds in a manner fully consistent with the Centers for Disease Control and Prevention's statements regarding the nature of the grant and DPH grant application.

48. Per the grant guidance and per Delaware's approved budgets and workplans, the funds have been utilized to build capacity in DPH in cross-functional areas such as laboratory, epidemiology, informatics, information technology, training and personnel management, among other areas. Delaware formed strong partnerships beyond traditional emergency management and health services. ELC funding expanded testing capacity, increasing State Lab capabilities with staffing, equipment, and space. Federal assistance supported supply and staffing distribution. Third-party contractor partnerships helped Delaware achieve the federal goal of 80,000 tests per month.

49. As of March 24th, 2025, the amount of funds remaining was a total of \$28,071,910.15 that was intended to be spent by 7/31/26. This was represented by 150 active purchase orders and 53 state positions. These funds were obligated to be used to complete capacity projects such as the Delaware Public Health Laboratory Expansion and the new Delaware disease surveillance system. Funds were also obligated for staff salaries, fringe, and indirect costs through the end of the grant period for them to complete their functions under the awarded grants. Expenditures are drawn each Monday from PMS, with the next scheduled draw to this coming Monday, March 31, 2025.

50. The Division of Public Health routinely meets with the Centers for Disease Control and Prevention to discuss financials, workplan progress, barriers to complete work under the award, and future discussions. On Friday, March 21, 2025, at 1PM EST, Delaware's ELC Governance Team held a regularly scheduled meeting with the ELC Project Officers including the Director of ELC who was able to participate. There was not a mention of funding cuts that were to be taking place at close of business Monday March 24, 2025. The ELC Program, or the Centers for Disease Control and Prevention, has never audited or performed a site visit for

Delaware due to our compliance with the federal award requirements and our timely and detailed responses to the federal program.

51. On March 25, 2025, without any prior notice or indication, the Centers for Disease Control and Prevention informed DPH that effective March 24, 2025, its ELC grants were being terminated as of 3/24/25. A true and correct copy of the Notice of Award providing the termination notice is attached as Exhibit D.

52. According to the Termination section of the Terms and Conditions of Award at page 4 of Exhibit D:

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

53. Two major irregularities were identified on the notice of award received by Delaware. While the notice of award was intended to target the ELC CARES, Awards, the award notice reduced Delaware’s total award by \$179,758,072.55 – more than the \$129,000,000.00 of the total grant awards. In addition, Delaware was only given 30 days to close out these awards. The closeout period that was provided on every notice of award received prior was 120 days.

54. DHSS relied and acted upon its expectation and understanding that the Centers for Disease Control and Prevention would fulfill its commitment to provide ELC funding it had awarded to DPH. Without this obligated funding, Delaware must now make up the difference in roughly \$28,071,910.15 in funds related to these four supplemental awards alone. This includes

obligations for contracts, personnel, construction, surveillance systems, equipment and supply purchases, and more.

55. By terminating this obligated funding, Delaware is now placed in greater financial risk. There is, as of now, no identified funding to finish the construction project (potential \$8M obligation in addition to costs incurred for delay of project). There is, as of now, no identified funding to support staffing (roughly \$8M). There is a great risk of shutting public health operations for critical laboratory and surveillance services due to the sudden nature of this funding termination

56. Prior to the grant award termination on March 25, 2025, the Centers for Disease Control and Prevention had never provided DPH with notice, written or otherwise, that the grant administered by the Centers for Disease Control and Prevention was in any way unsatisfactory.

Delaware Division of Substance Abuse and Mental Health: Community Mental Health Treatment- American Rescue Plan Act (ARPA) Supplemental Funding for Community Mental Health Treatment (CMHBG)

57. In 2021, the Department of Health and Human Services, HSS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment invited applications for Community Mental Health Block Grant (CMHBG) - American Rescue Plan Act (ARPA) Supplemental Funding for the Community Mental Health Treatment (CMHBG).

58. The purpose of this grant was to: advance the development of crisis and other needed prevention, intervention, treatment and recovery support services; expansion of crisis services by increasing the pool of available peers for use with Mobile Crisis Teams and provide additional training for all staff in suicide risk assessment that meets NSPL standards; expansion of respite services for the adolescent population to include both overnight and hourly options in order to provide better alternatives to inpatient crisis beds for youth and their families; support of health IT infrastructure and advancement by configuring and deploying a cloud-based Care

Coordination tool that will facilitate the appropriate care across multiple organizations caring for clients with Behavioral Health disorder.

59. As set out in its grant proposal, DHSS/Division of Substance Abuse and Mental Health (DSAMH) intended to use the Community Mental Health Block Grant (CMHBG) - American Rescue Plan Act (ARPA) Supplemental Funding for the Community Mental Health Treatment (CMHBG) in alignment with the priorities established by the DSAMH and approved by the Community Behavioral Health Services Block Grant Subcommittee.

60. The grant start date was September 1, 2021, and had an end date of September 30, 2025, total received was \$3,326,504.00.

61. On March 25, 2025, HSS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment produced a communication via email setting forth the terms and conditions of the grant award. A true and correct copy of the notice, dated May 17, 2021, is attached as Exhibit E. As set forth therein, termination of the grant by HHS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment is permitted only for cause.

62. Since September 2021, DHSS/Division Substance Abuse and Mental Health has used the Community Mental Health Block Grant (CMHBG) - American Rescue Plan Act (ARPA) Supplemental Funding for the Community Mental Health Treatment (CMHBG) grant funds in a manner fully consistent with HHS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment's statements regarding the nature of the grant and DHSS/Division of Substance Abuse and Mental Health grant application.

63. We have consistently demonstrated a strong track record of timely and accurate submissions in accordance with the grant requirements. All required reports and documentation

have been submitted on schedule, meeting or exceeding the expectations outlined in the grant guidelines. Our agency has a history of ensuring compliance with all relevant deadlines and reporting standards, and we have maintained a high level of accountability throughout the course of this project. We a proven history of successful grant management, with previous award continuations and successful completions of projects in earlier cycles. This ongoing commitment to excellence underscores our capacity to meet the expectations set forth in the grant and to continue delivering quality results.

64. On March 26, 2025, DSAMH attempted to draw the week prior's expenditures, but they were pushed back as unauthorized. This means that DSMAH is unable to draw for reimbursement funds the agency has already expended on program associated with its COVID grants. This happened for three separate reimbursements totaling \$101,820.20. SAMHSA indicated that reimbursements after termination are allowable if it results from obligations which were properly incurred before the effective date of this termination; however, all our draws have been rejected.

65. DHSS relied and acted upon its expectation and understanding that SAMHSA would fulfill its commitment to provide funding it had awarded to DHSS.

66. The sudden and unexpected termination of this funding, without prior notice, has caused significant hardship. It has hindered our ability to meet obligations to contractors and other partners, leaving us unable to complete critical work. The lack of timely communication or notice of the funding change disrupted our operations, created uncertainty for our stakeholders, and jeopardized the progress made toward our objectives. This unexpected setback has not only affected our ability to fulfill our commitments but has also impaired our capacity to continue addressing the mental health needs of Delawareans.

67. Prior to the grant award termination on March 24, 2025, the Centers for Disease Control and Prevention had never provided DPH with notice, written or otherwise, that the grant administered by DPH was in any way unsatisfactory.

Block Grants for Community Mental Health Services

68. In 2021, the Department of Health and Human Services, HSS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment invited applications for Block Grants for Community Mental Health Services MHBG FY2021 ARP Mitigation.

69. The supplemental ARPA Funds from the grant are used to provide continuum of substance abuse prevention and treatment services through a service provider network. As set out in its grant proposal, DHSS/Division of Substance Abuse and Mental Health intended to use the Block Grants for Community Mental Health Services MHBG FY2021 ARP Mitigation expand dedicated testing and mitigation resources for people with mental health issues over a four-year period. These funds were to provide resources and flexibility for states to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID19) public health emergency and ensure the continuity of services to support individuals connected to the behavioral health system. The grant start date was September 1, 2021, and had an end date of September 30, 2025, total received was \$125,000.00

70. On March 24, 2025, without any prior notice or indication, HSS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment sent an email informing DHSS that, effective March 24, 2025, the grant was terminated. Although the stated effective termination date was March 24, 2025, the email was sent after business hours (5:39 p.m.) on March 24, 2025. Therefore, the termination notice was not received by DHSS until

March 25, 2025. A true and correct copy of the corresponding email, dated March 24, 2025, is attached as Exhibit F.

71. According to the email:

During the COVID-19 pandemic, the Substance Abuse Mental Health Services Administration(SAMHSA) awarded several pandemic-related grants including the funded Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (H.R.6074) (CRRSA) which provided funds to respond to the coronavirus outbreak and the American Rescue Plan (ARP) Act of 2021(H.R. 1319) which provided additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.

On April 10, 2023, President Biden signed PL 188-3 terminating the national emergency concerning the COVID-19 pandemic. Consistent with the President's Executive Order 14222, Implementing the President's "Department of Government Efficiency" Cost Efficiency Initiative requiring a comprehensive review of SAMHSA grants, and where appropriate and consistent with applicable law, terminate such grants to reduce the overall Federal spending this grant is being terminated effective March 24, 2025. These grants were issued for a limited purpose: To ameliorate the effects of the pandemic. The end of the pandemic provides cause to terminate COVID-related grants. Now that the pandemic is over, the grants are no longer necessary.

Substance Abuse and Mental Health has used the Substance Abuse Prevention and Treatment Block Grant

72. Since September 2021, DHSS/Division Substance Abuse and Mental Health has used the Substance Abuse Prevention and Treatment Block Grant (SABG) – SABG FY2021 ARP Mitigation grant funds in a manner fully consistent with HHS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment's statements regarding the nature of the grant and DHSS/Division of Substance Abuse and Mental Health grant application.

73. On March 24, 2025, without any prior notice or indication, HHS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment sent an email informing DHSS that, effective March 24, 2025, its Substance Abuse Prevention and Treatment

Block Grant (SABG) – SABG FY2021 ARP Mitigation was being terminated as of March 24, 2025. A true and correct copy of the grant award termination email is attached as Exhibit G.

74. According to the email:

Dear Single State Authority Director and State Mental Health Commissioner,

During the COVID-19 pandemic, the Substance Abuse and Mental Health Services Administration (SAMHSA) awarded several pandemic-related grants including the funded Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (H.R.6074) (CRRSA) which provided funds to respond to the coronavirus outbreak and the American Rescue Plan (ARP) Act of 2021(H.R. 1319) which provided additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.

On April 10, 2023, President Biden signed PL 188-3 terminating the national emergency concerning the COVID-19 pandemic. Consistent with the President's Executive Order 14222, implementing the President's "Department of Government Efficiency" Cost Efficiency Initiative requiring a comprehensive review of SAMHSA grants, and where appropriate and consistent with applicable law, terminate such grants to reduce the overall Federal spending **this grant is being terminated effective March 24, 2025**. These grants were issued for a limited purpose: To ameliorate the effects of the pandemic. The end of the pandemic provides cause to terminate COVID-related grants. Now that the pandemic is over, the grants are no longer necessary.

75. DHSS relied and acted upon its expectation and understanding that HHS would fulfill its commitment to provide Substance Abuse Prevention and Treatment Block Grant (SABG) – SABG FY2021 ARP Mitigation) funding it had awarded to DHSS/Division of Substance Abuse and Mental Health

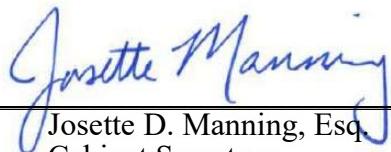
76. Prior to the grant award termination on March 24, 2025, HHS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment had never provided DHSS/Division of Substance Abuse and Mental Health with notice, written or otherwise, that the grant administered by DHSS/Division of Substance Abuse and Mental Health was in any way unsatisfactory.

Conclusion

77. The termination of funding, totaling \$38,556,637.56, will result in significant harm to both the staff and the people the Department of Health and Social Services serve. Our Department is instrumental in providing health services, including education, vaccination, outreach, and behavioral health and substance abuse treatment, particularly for underserved populations, who will face increased health disparities as a result of these cuts. Despite efforts to secure alternative funding, the sudden termination leaves insufficient time to find solutions, resulting in an immediate loss of employment, a breakdown in health infrastructure and irreparable harm to the health of Delawareans.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed on March 29, 2025, at New Castle, DE.



Josette D. Manning, Esq.
Cabinet Secretary
Delaware Department of Health and Social Services

Exhibit A



Award# 6 NH75OT000088-01-06

FAIN# NH75OT000088

Federal Award Date: 03/24/2025

Recipient Information**1. Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 Federal St Ste 1
Dover, DE 19901-3635
[NO DATA]

2. Congressional District of Recipient

00

3. Payment System Identifier (ID)

1516000279A3

4. Employer Identification Number (EIN)

516000279

5. Data Universal Numbering System (DUNS)

103989187

6. Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

7. Project Director or Principal Investigator

Dr. Shonetasha Quail
Associate Deputy Director
shonetasha.quail@delaware.gov
302-744-4741

8. Authorized Official

Ms. Michelle Bruner
Chief of Administration/Sr. Fiscal Admin Officer
Michelle.Bruner@delaware.gov
302-744-4932

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Mr. Derick Wheeler , II
Grants Management Specialist
tie2@cdc.gov
678-475-4972

10. Program Official Contact Information

Nahyun Cho
Program Officer
tcz6@cdc.gov
802-999-9787

30. Remarks

Department Authority

Federal Award Information**11. Award Number**

6 NH75OT000088-01-06

12. Unique Federal Award Identification Number (FAIN)

NH75OT000088

13. Statutory Authority

317(K)(2) OF PHSA 42USC 247B(K)(2)

14. Federal Award Project Title

Delaware Division of Public Health: Addressing COVID-19 Health Disparities Among Populations at High-Risk and Underserved, Including Racial and Ethnic Minority Populations and Rural Communities

15. Assistance Listing Number

93.391

16. Assistance Listing Program Title

Activities to Support State, Tribal, Local and Territorial (STLT) Health Department Response to Public Health or Healthcare Crises

17. Award Action Type

Terminate

18. Is the Award R&D?

No

Summary Federal Award Financial Information**19. Budget Period Start Date** 06/01/2021 - **End Date** 03/24/2025**20. Total Amount of Federal Funds Obligated by this Action**

\$0.00

20a. Direct Cost Amount

\$0.00

20b. Indirect Cost Amount

\$0.00

21. Authorized Carryover

\$0.00

22. Offset

\$0.00

23. Total Amount of Federal Funds Obligated this budget period

\$24,594,945.00

24. Total Approved Cost Sharing or Matching, where applicable

\$0.00

25. Total Federal and Non-Federal Approved this Budget Period

\$24,594,945.00

26. Period of Performance Start Date 06/01/2021 - **End Date** 03/24/2025**27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance**

\$24,594,945.00

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Mrs. Erica Stewart

Team Lead, Grants Management Officer



Centers for Disease Control and Prevention

Award# 6 NH75OT000088-01-06

FAIN# NH75OT000088

Federal Award Date: 03/24/2025

Recipient Information**Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 Federal St Ste 1
Dover, DE 19901-3635
[NO DATA]

Congressional District of Recipient

00

Payment Account Number and Type

1516000279A3

Employer Identification Number (EIN) Data

516000279

Universal Numbering System (DUNS)

103989187

Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

31. Assistance Type

Project Grant

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$1,807,174.00
b. Fringe Benefits	\$544,438.00
c. Total Personnel Costs	\$2,351,612.00
d. Equipment	\$835,600.00
e. Supplies	\$42,701.00
f. Travel	\$0.00
g. Construction	\$0.00
h. Other	\$1,736,193.00
i. Contractual	\$19,445,000.00
j. TOTAL DIRECT COSTS	\$24,411,106.00
k. INDIRECT COSTS	\$183,839.00
l. TOTAL APPROVED BUDGET	\$24,594,945.00
m. Federal Share	\$24,594,945.00
n. Non-Federal Share	\$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390H06	21NH75OT000088C5	OT	41.51	93.391	\$0.00	75-2122-0140



DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH75OT000088-01-06

FAIN# NH75OT000088

Federal Award Date: 03/24/2025

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

AWARD ATTACHMENTS

EXECUTIVE OFFICE OF THE GOVERNOR OF DELAWARE

6 NH75OT000088-01-06

1. Termination Terms and Conditions

TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate this award which is funded by COVID-19 supplemental appropriations. The termination of this award is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of the date set out in your Notice of Award.

No additional activities can be conducted, and no additional costs may be incurred. Unobligated award balances will be de-obligated by CDC.

Closeout: In order to facilitate an orderly closeout, we are requesting that you submit all closeout reports identified below within thirty (30) days of the date of this NoA. Submit the documentation as a “Grant Closeout” amendment in GrantSolutions. The reporting timeframe is the full period of performance. Please note, if you fail to submit timely and accurate reports, CDC may also pursue other enforcement actions per 45 CFR Part 75.371.

Final Performance/Progress Report: This report should include the information specified in the Notice of Funding Opportunity (NOFO). At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Final Federal Financial Report (FFR, SF-425): The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

Equipment and Supplies - Tangible Personal Property Report (SF-428): A completed SF-428 detailing all major equipment acquired with a unit acquisition cost of \$10,000 or more. If no equipment was acquired under the award, a negative report is required

Exhibit B

**Recipient Information****1. Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 Federal St STE 1
Executive Office Of The Governor Of Delaware
Dover, DE 19901-3635
[NO DATA]

2. Congressional District of Recipient

00

3. Payment System Identifier (ID)

1516000279B5

4. Employer Identification Number (EIN)

516000279

5. Data Universal Numbering System (DUNS)

103989187

6. Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

7. Project Director or Principal Investigator

Ms. Katherine Hughes
Katherine.Hughes@delaware.gov
302-744-4712

8. Authorized Official

Ms. Michelle Bruner
Chief of Administration/Sr. Fiscal Admin Officer
Michelle.Bruner@delaware.gov
302-744-4932

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Mr. Daniel Jackson
Grants Management Specialist
qpz2@cdc.gov
(678) 475-4577

10. Program Official Contact Information

Ms. Perrin Hicks
Program Officer
swy2@cdc.gov
7704880826

30. Remarks

Department Authority

Federal Award Information**11. Award Number**

6 NU58DP007049-03-03

12. Unique Federal Award Identification Number (FAIN)

NU58DP007049

13. Statutory Authority

Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Public Law 116-136 Public Health Service Act 42 U.S.C. 301(a)

14. Federal Award Project Title

How Delaware Plans to Address Community Health Workers for COVID Response and Resilient Communities

15. Assistance Listing Number

93.495

16. Assistance Listing Program Title

Community Health Workers for Public Health Response and Resilient

17. Award Action Type

Terminate

18. Is the Award R&D?

No

Summary Federal Award Financial Information**19. Budget Period Start Date** 08/31/2023 - **End Date** 03/24/2025

20. Total Amount of Federal Funds Obligated by this Action	\$0.00
20a. Direct Cost Amount	\$0.00
20b. Indirect Cost Amount	\$0.00

21. Authorized Carryover \$0.00**22. Offset** \$0.00**23. Total Amount of Federal Funds Obligated this budget period** \$3,000,000.00**24. Total Approved Cost Sharing or Matching, where applicable** \$0.00**25. Total Federal and Non-Federal Approved this Budget Period** \$3,000,000.00**26. Period of Performance Start Date** 08/31/2021 - **End Date** 03/24/2025**27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance** \$9,000,000.00**28. Authorized Treatment of Program Income**

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Darryl Mitchell



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Award

Award# 6 NU58DP007049-03-03

FAIN# NU58DP007049

Federal Award Date: 03/24/2025

Recipient Information**Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 Federal St STE 1
Executive Office Of The Governor Of Delaware
Dover, DE 19901-3635

[NO DATA] Congressional District of Recipient

00

Payment Account Number and Type

1516000279B5

Employer Identification Number (EIN) Data

516000279

Universal Numbering System (DUNS)

103989187

Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

31. Assistance Type

Project Grant

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$51,439.00
b. Fringe Benefits	\$25,340.00
c. Total Personnel Costs	\$76,779.00
d. Equipment	\$0.00
e. Supplies	\$40,212.00
f. Travel	\$0.00
g. Construction	\$0.00
h. Other	\$9,000.00
i. Contractual	\$2,859,658.00
j. TOTAL DIRECT COSTS	\$2,985,649.00
k. INDIRECT COSTS	\$14,351.00
l. TOTAL APPROVED BUDGET	\$3,000,000.00
m. Federal Share	\$3,000,000.00
n. Non-Federal Share	\$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390H3H	21NU58DP007049C3	DP	41.51	93.495	\$0.00	75-2024-0943
2-9390H3H	21NU58DP007049C3	DP	41.51	93.495	\$0.00	75-2024-0943
3-9390H3H	21NU58DP007049C3	DP	41.51	93.495	\$0.00	75-2024-0943

AWARD ATTACHMENTS

EXECUTIVE OFFICE OF THE GOVERNOR OF DELAWARE

6 NU58DP007049-03-03

1. Terms and Conditions

TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate this award which is funded by COVID-19 supplemental appropriations. The termination of this award is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of the date set out in your Notice of Award.

No additional activities can be conducted, and no additional costs may be incurred. Unobligated award balances will be de-obligated by CDC.

Closeout: In order to facilitate an orderly closeout, we are requesting that you submit all closeout reports identified below within thirty (30) days of the date of this NoA. Submit the documentation as a “Grant Closeout” amendment in GrantSolutions. The reporting timeframe is the full period of performance. Please note, if you fail to submit timely and accurate reports, CDC may also pursue other enforcement actions per 45 CFR Part 75.371.

Final Performance/Progress Report: This report should include the information specified in the Notice of Funding Opportunity (NOFO). At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Final Federal Financial Report (FFR, SF-425): The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

Equipment and Supplies - Tangible Personal Property Report (SF-428): A completed SF-428 detailing all major equipment acquired with a unit acquisition cost of \$10,000 or more. If no equipment was acquired under the award, a negative report is required

Exhibit C

**Recipient Information****1. Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 FEDERAL ST STE 1
-DUP
DOVER, DE 19901-3635
[NO DATA]

2. Congressional District of Recipient

00

3. Payment System Identifier (ID)

1516000279A1

4. Employer Identification Number (EIN)

516000279

5. Data Universal Numbering System (DUNS)

103989187

6. Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

7. Project Director or Principal Investigator

Mr. James E Talbott MPA
Director, Immunization Program
James.Talbott@delaware.gov
(302) 744-1181

8. Authorized Official

Dr. Karyl T Rattay MD, MS
AO / Division Director
Karyl.Rattay@delaware.gov
302-744-4818

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Wayne Woods
kuvl@cdc.gov
770-488-2948

10. Program Official Contact Information

Chelsea Toledo
Program Official
rnv8@cdc.gov
404-639-0229

30. Remarks

Department Authority

Federal Award Information**11. Award Number**

6 NH23IP922598-05-08

12. Unique Federal Award Identification Number (FAIN)

NH23IP922598

13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as amended.

14. Federal Award Project Title

COVID-19 Carryover Activities

15. Assistance Listing Number

93.268

16. Assistance Listing Program Title

Immunization Cooperative Agreements

17. Award Action Type

Administrative Action

18. Is the Award R&D?

No

Summary Federal Award Financial Information**19. Budget Period Start Date** 07/01/2023 - **End Date** 03/24/2025**20. Total Amount of Federal Funds Obligated by this Action** \$0.00

20a. Direct Cost Amount	\$0.00
20b. Indirect Cost Amount	\$0.00

21. Authorized Carryover \$6,283,360.00**22. Offset** \$708,844.00**23. Total Amount of Federal Funds Obligated this budget period** \$5,819,777.00**24. Total Approved Cost Sharing or Matching, where applicable** \$0.00**25. Total Federal and Non-Federal Approved this Budget Period** \$5,819,777.00**26. Period of Performance Start Date** 07/01/2019 - **End Date** 03/24/2025**27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance** \$57,925,852.00**28. Authorized Treatment of Program Income**

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Percy Jernigan



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922598-05-08

FAIN# NH23IP922598

Federal Award Date: 03/24/2025

Recipient Information**Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 FEDERAL ST STE 1
-DUP
DOVER, DE 19901-3635

[NO DATA] Congressional District of Recipient

00

Payment Account Number and Type

1516000279A1

Employer Identification Number (EIN) Data

516000279

Universal Numbering System (DUNS)

103989187

Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$1,813,645.00
b. Fringe Benefits	\$1,144,671.00
c. Total Personnel Costs	\$2,958,316.00
d. Equipment	\$0.00
e. Supplies	\$76,056.00
f. Travel	\$30,259.00
g. Construction	\$0.00
h. Other	\$415,986.00
i. Contractual	\$8,944,220.00
j. TOTAL DIRECT COSTS	\$12,424,837.00
k. INDIRECT COSTS	\$387,144.00
l. TOTAL APPROVED BUDGET	\$12,811,981.00
m. Federal Share	\$12,811,981.00
n. Non-Federal Share	\$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390GUU	20NH23IP922598UDSPC5	IP	41.51	93.268	\$0.00	75-2124-0943
1-9390GWA	20NH23IP922598C6	IP	41.51	93.268	\$0.00	75-X-0943



DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922598-05-08

FAIN# NH23IP922598

Federal Award Date: 03/24/2025

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

AWARD ATTACHMENTS

EXECUTIVE OFFICE OF THE GOVERNOR OF DELAWARE

6 NH23IP922598-05-08

1. Terms and Conditions

TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

Final Federal Financial Report (FFR, SF-425): Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

All other terms and conditions of this award remain in effect.

Exhibit D

**Recipient Information****1. Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 Federal St Ste 1
Dover, DE 19901-3635
[NO DATA]

2. Congressional District of Recipient

00

3. Payment System Identifier (ID)

1516000279B7

4. Employer Identification Number (EIN)

516000279

5. Data Universal Numbering System (DUNS)

103989187

6. Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

7. Project Director or Principal Investigator

Mr. Gregory Hovan
Project Director
Gregory.Hovan@delaware.gov
302-802-5000

8. Authorized Official

Ms. Michelle Bruner
Chief of Administration/Sr. Fiscal Admin Officer
Michelle.Bruner@delaware.gov
302-744-4932

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Dr. Gwendolyn Demery Moore
Grants Management Officer
pne2@cdc.gov
404-498-2596

10. Program Official Contact Information

Mr. Patrick Nonnenmacher
Project Officer
DPEI
pen3@cdc.gov
404.498.6222

30. Remarks

Department Authority

Federal Award Information**11. Award Number**

6 NU50CK000497-05-07

12. Unique Federal Award Identification Number (FAIN)

NU50CK000497

13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

14. Federal Award Project Title

CK19-1904 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC)

15. Assistance Listing Number

93.323

16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

17. Award Action Type

Administrative Action

18. Is the Award R&D?

No

Summary Federal Award Financial Information**19. Budget Period Start Date** 08/01/2023 - **End Date** 03/24/2025

20. Total Amount of Federal Funds Obligated by this Action	\$0.00
20a. Direct Cost Amount	\$0.00
20b. Indirect Cost Amount	\$0.00
21. Authorized Carryover	\$10,092,996.00
22. Offset	\$1,238,595.00
23. Total Amount of Federal Funds Obligated this budget period	\$4,703,058.00
24. Total Approved Cost Sharing or Matching, where applicable	\$0.00
25. Total Federal and Non-Federal Approved this Budget Period	\$4,703,058.00
26. Period of Performance Start Date 08/01/2019 - End Date 03/24/2025	
27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance	\$195,792,721.55

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Terrian Dixon
Grants Management Officer



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Award

Award# 6 NU50CK000497-05-07

FAIN# NU50CK000497

Federal Award Date: 03/24/2025

Recipient Information**Recipient Name**

EXECUTIVE OFFICE OF THE GOVERNOR OF
DELAWARE
417 Federal St Ste 1
Dover, DE 19901-3635
[NO DATA]

Congressional District of Recipient

00

Payment Account Number and Type

1516000279B7

Employer Identification Number (EIN) Data

516000279

Universal Numbering System (DUNS)

103989187

Recipient's Unique Entity Identifier (UEI)

GKQPH6J32LN7

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. Approved Budget

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$3,972,745.00
b. Fringe Benefits	\$2,537,369.00
c. Total Personnel Costs	\$6,510,114.00
d. Equipment	\$0.00
e. Supplies	\$2,657,101.00
f. Travel	\$114,771.00
g. Construction	\$0.00
h. Other	\$2,801,335.00
i. Contractual	\$2,844,304.00
j. TOTAL DIRECT COSTS	\$14,927,625.00
k. INDIRECT COSTS	\$1,107,024.00
l. TOTAL APPROVED BUDGET	\$16,034,649.00
m. Federal Share	\$16,034,649.00
n. Non-Federal Share	\$0.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-9390EWQ	19NU50CK000497C3	CK	41.51	93.323	\$0.00	75-2024-0943
0-9390F7F	19NU50CK000497C4	CK	41.51	93.323	\$0.00	75-X-0140
0-9390EPX	19NU50CK000497CV	CK	41.51	93.323	\$0.00	75-2022-0943
1-9390GKT	19NU50CK000497EDEXC5	CK	41.51	93.323	\$0.00	75-2122-0140



DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NU50CK000497-05-07

FAIN# NU50CK000497

Federal Award Date: 03/24/2025

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

AWARD ATTACHMENTS

EXECUTIVE OFFICE OF THE GOVERNOR OF DELAWARE

6 NU50CK000497-05-07

1. Terms and Conditions

TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

Final Federal Financial Report (FFR, SF-425): Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

All other terms and conditions of this award remain in effect.

Exhibit E



Case 1:25-cv-00121-JSM Document 4-1 Filed 04/01/25 Page 46 of 61 Page ID

Substance Abuse and Mental Health Services Administration
Center for Mental Health Services

1749

Filed 04/01/25

Page 46 of 61 Page ID

FAIN# B09SM085340

Federal Award Date

05/17/2021

Recipient Information**1. Recipient Name**

HEALTH AND SOCIAL SERVICES,
DELAWARE DEPARTMENT OF
1901 N DUPONT HWY MAIN BLDG

NEW CASTLE, DE 19720

2. Congressional District of Recipient

00

3. Payment System Identifier (ID)

1516000279B5

4. Employer Identification Number (EIN)

516000279

5. Data Universal Numbering System (DUNS)

134632624

6. Recipient's Unique Entity Identifier**7. Project Director or Principal Investigator**

Alexis D Teitelbaum

Alexis.teitelbaum@delaware.gov

302-255-9416

8. Authorized Official**Federal Agency Information****9. Awarding Agency Contact Information**

Wendy Pang
Grants Management Specialist
Center for Mental Health Services
wendy.pang@samhsa.hhs.gov
(240) 276-1419

10. Program Official Contact Information

Michelle Gleason

Center for Mental Health Services
Michelle.Gleason@samhsa.hhs.gov
240-276-1941

30. Remarks

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.

Federal Award Information**11. Award Number**

1B09SM085340-01

12. Unique Federal Award Identification Number (FAIN)

B09SM085340

13. Statutory Authority

Subparts I&III,B,Title XIX,PHS Act/45 CFR Part96

14. Federal Award Project Title

Block Grants for Community Mental Health Services

15. Assistance Listing Number

93.958

16. Assistance Listing Program Title

Block Grants for Community Mental Health Services

17. Award Action Type

New Competing

18. Is the Award R&D?

No

Summary Federal Award Financial Information**19. Budget Period Start Date 09/01/2021 – End Date 09/30/2025****20. Total Amount of Federal Funds Obligated by this Action \$3,326,504**

20 a. Direct Cost Amount \$3,326,504

20 b. Indirect Cost Amount \$0

21. Authorized Carryover**22. Offset****23. Total Amount of Federal Funds Obligated this budget period \$3,326,504****24. Total Approved Cost Sharing or Matching, where applicable \$0****25. Total Federal and Non-Federal Approved this Budget Period \$3,326,504****26. Project Period Start Date 09/01/2021 – End Date 09/30/2025****27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period \$3,326,504****28. Authorized Treatment of Program Income**

Additional Costs

29. Grants Management Officer - Signature

Odessa Crocker



MHBG
Department of Health and Human Services
Substance Abuse and Mental Health Services Administration
Center for Mental Health Services

Notice of Award

Issue Date: 05/17/2021

Award Number: 1B09SM085340-01

FAIN: B09SM085340-01

Contact Person: Alexis D Teitelbaum

Program: Block Grants for Community Mental Health Services

HEALTH AND SOCIAL SERVICES, DELAWARE DEPARTMENT OF
1901 N DUPONT HWY MAIN BLDG

NEW CASTLE, DE 19720

Award Period: 09/01/2021 – 09/30/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$3,326,504 (see “Award Calculation” in Section I) to HEALTH AND SOCIAL SERVICES, DELAWARE DEPARTMENT OF in support of the above referenced project. This award is pursuant to the authority of Subparts I&III,B,Title XIX,PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the “Terms and Conditions” is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,
Odessa Crocker
Grants Management Officer
Division of Grants Management

See additional information below

SECTION I – AWARD DATA – 1B09SM085340-01

FEDERAL FUNDS APPROVED:	\$3,326,504
AMOUNT OF THIS ACTION (FEDERAL SHARE):	\$3,326,504
CUMULATIVE AWARDS TO DATE:	\$3,326,504
UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:	\$0

Fiscal Information:

CFDA Number:	93.958
EIN:	1516000279B
	5
Document Number:	21B1DECMH
Fiscal Year:	SC6
	2021

IC	CAN	01
SM	C96D540	\$3,326,504

PCC: CMHS / OC: 4115

SECTION II – PAYMENT/HOTLINE INFORMATION – 1B09SM085340-01

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

SECTION III – TERMS AND CONDITIONS – 1B09SM085340-01

STANDARD TERMS AND CONDITIONS

MHBG FY2021 ARPA funding

Remarks:

This Notice of Award (NoA) provides American Rescue Plan Act of 2021 (ARPA) funding for the Community Mental Health Services (MHBG) Block Grant Program, in accordance with H.R. 1319 – American Rescue Plan Act of 2021 the ARPA Act, 2021 [P.L. 117-2]. Consistent with HHS Disaster Relief Flexibilities, SAMHSA may waive requirements with respect to allowable activities, timelines, or reporting requirements for the MHBG, as deemed necessary to facilitate a grantee's response to coronavirus.

A proposal of the state's spending plan must be submitted by July 2, 2021 via the Web Block Grant Application System (WebBGAS).

Using the WebBGAS Revision Request for the FFY 2021 Block Grant Application, grantees are required to upload the Plan document (Microsoft Word or pdf), using the associated tab in the State Information Section, Chief Executive Officer's Funding Agreement – Certifications and Assurances/Letter Designating Signatory Authority [MH]. Please title this document "ARPA Funding Plan 2021-MH". States must upload separate proposals based on MHBG and SABG guidance into the WebBGAS system.

Further information on this is included in the letter from Acting Assistant Secretary for Mental Health and Substance Use, Tom Coderre

Standard Terms of Award:

1) Acceptance of the Terms of an Award

By drawing or otherwise obtaining funds from the HHS Payment Management System, the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. Except for any waiver granted explicitly elsewhere in this section, this award does not constitute approval for waiver of any Federal statutory/regulatory requirements for a MHBG. Once an award is accepted by a recipient, the contents of the Notice of Award (NoA) are binding on the recipient unless and until modified by a revised NoA signed by the GMO.

Certification Statement: By drawing down funds, The recipient agrees to abide by the statutory requirements of all sections of the Mental Health Block Grant (MHBG) (Public Health Service Act, Sections 1911-1920 and sections 1941-1957) (42 U.S.C. 300x-1-300x-9 and 300x-51-300x-67, as amended), and other administrative and legal requirements as applicable for the duration of the award.

2) Official Form Designee

The States Chief Executive Officer, or authorized designee is considered the official form designee for this grant. The SAMHSA GMS and the MHBG Program Officer must be notified immediately before any changes in this key position are made. Please note that individuals that are suspended or debarred are prohibited from serving on Federal grant awards.

3) Availability of Funds

Funds provided under this grant must be obligated and expended by September 30, 2025.

4) Fiscal and administrative requirements

This award is subject to the administrative requirements for HHS block grants under 45 CFR Part 96, Subpart C, and 45 CFR Part 75, as specified. Except for section 75.202 of Subpart C, and sections 75.351 through 75.353 of Subpart D, the requirements in Subpart C, Subpart D, and Subpart E do not apply to this program (reference 45 CFR Part 75 Subpart B, 75.101(d)).

Fiscal control and accounting procedures - Fiscal control and accounting procedures must be sufficient to (a) permit preparation of reports required by the statute authorizing the block grant and (b) permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of the statute authorizing the block grant.

ARPA funding is being issued under a separate grant award number and has a unique subaccount in the Payment Management System. Accordingly, ARPA funds must be tracked and reported separately from other FY 2021 awarded funds, including COVID-19 Supplemental funding and the Annual Block Grant Allotment.

Audits - Grantees and subgrantees are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, “Audits of State, Local Governments, and Non-Profit Organizations.” The audits shall be made by an independent auditor in accordance with generally accepted Government auditing standards covering financial audits.

5) Flow-down of requirements to sub-recipients

The grantee, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to sub-recipients, in accordance with 45 CFR 75.351-75.353, Sub-recipient monitoring and management.

6) Early Serious Mental Illness Set-Aside

The 21st Century Cures Act, P.L. 114-255 amended Section 1920(c) of the Public Health Service Act (42 U.S.C. 300x 9(c)). States must set-aside not less than 10 percent of their total MHBG allocation amount for each fiscal year to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset. In lieu of expending 10 percent of the amount, the State receives for a fiscal year, states have the flexibility to expend not less than 20 percent of such amount by the end of the succeeding fiscal year.

7) Executive Pay

The Consolidated Appropriations Act, 2021 (Public Law 116-260), signed into law on December 27, 2020 restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. Effective January 3, 2021, the salary limitation for Executive Level II is \$199,300.

For awards issued prior to this change, if adequate funds are available in active awards, and if the salary cap increase is consistent with the institutional base salary, recipients may re-budget to accommodate the current Executive Level II salary level. However, no additional funds will be provided to these grant awards.

8) Marijuana Restriction:

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. 75.300(a) (requiring HHS to ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.); 21 U.S.C. 812(c) (10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

9) SAM and DUNS Requirements

THIS AWARD IS SUBJECT TO REQUIREMENTS AS SET FORTH IN 2 CFR 25.110 CENTRAL CONTRACTOR REGISTRATION CCR (NOW SAM) AND DATA UNIVERSAL NUMBER SYSTEM (DUNS) NUMBERS. 2 CFR Part 25 - Appendix A4

System of Award Management (SAM) and Universal Identifier Requirements

A. Requirement for System of Award Management:

Unless you are exempted from this requirement under 2 CFR 25.110, you, as the recipient, must maintain the currency of your information in the SAM, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for unique entity identifier If you are authorized (reference project description) to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you, unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity, unless the entity has provided its unique entity identifier to you.

C. Definitions. For purposes of this award term:

1. System of Award Management (SAM) means the federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at: <http://www.sam.gov>).

2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR Part 25, Subpart C:

a. A governmental organization, which is a state, local government, or Indian Tribe; b. A foreign public entity; c. A domestic or foreign nonprofit organization; d. A domestic or foreign for-profit organization; and e. A Federal agency, but only as a sub-recipient under an award or sub-award to a nonfederal entity.

4. Sub-award:

- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible sub-recipient. b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330). c. A sub-award may be provided through any legal agreement, including an agreement that you consider a contract.
- 5. Sub-recipient means an entity that: a. Receives a sub-award from you under this award; and b. Is accountable to you for the use of the federal funds provided by the sub-award.

10) Federal Financial Accountability and Transparency Act (FFATA)

Reporting Subawards and Executive Compensation, 2 CFR, Appendix A to Part 170

a. Reporting of first tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. Where and when to report.

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation

information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report executive total compensation described in paragraph b. 1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if

i. in the subrecipient's preceding fiscal year, the subrecipient received (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c. 1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

- iii. A domestic or foreign nonprofit organization;
 - iv. A domestic or foreign for-profit organization;
 - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ___. 210 of the attachment to OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations).
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity that: i. Receives a subaward from you (the recipient) under this award; and ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i. Salary and bonus.
 - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.
 - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
 - v. Above-market earnings on deferred compensation which is not tax-qualified. vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000. [75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

11) Mandatory Disclosures

Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS Office of Inspector General (OIG), all information

related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

U.S. Department of Health and Human Services Office of Inspector General
ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue,
SW, Cohen Building Room 5527 Washington, DC 20201
Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or email:
MandatoryGranteeDisclosures@oig.hhs.gov

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 & 376 and 31 U.S.C. 3321).

12) The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 C.F.R. PART 175

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. SAMHSA may unilaterally terminate this award, without penalty, if a private entity recipient, or a private entity subrecipient, or their employees: a) Engage in severe forms of trafficking in persons during the period of time that the award is in effect; b) Procure a commercial sex act during the period of time that the award is in effect; or, c) Use forced labor in the performance of the award or subawards under the award. The text of the full award term is available at 2 C.F.R. 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>.

13) Drug-Free Workplace Requirements

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. When the AR signed the application, the AR agreed that the recipient will provide a drug-free workplace and will comply with the requirement to notify SAMHSA if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug-Free Workplace for Financial Assistance are found in 2 CFR part 182; HHS implementing regulations are set forth in 2 CFR part 382.400. All recipients of SAMHSA grant funds must comply with the requirements in Subpart B (or Subpart C if the recipient is an individual) of Part 382.

14) Lobbying

No funds provided under the attached Notice of Award (NoA) may be used by you or any sub-recipient under the grant to support lobbying activities to influence proposed or pending federal or state legislation or appropriations. The prohibition relates to the

use of federal grant funds and is not intended to affect your right or that of any other organization, to petition Congress or any other level of government, through the use of other nonfederal resources. Reference 45 CFR Part 93.

15) Accessibility Provisions

Grant recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS. Please see <http://www.hhs.gov/ocr/civilrights/understanding/section1557/index.html>. Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. Please see <http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under Federal civil rights laws at <https://www.hhs.gov/civil-rights/index.html> or call 1-800-368-1019 or TDD 1-800-537-7697. Also note that it is an HHS Departmental goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=1&lvlid=6>.

16) Audits

Non-Federal recipients that expend \$750,000 or more in federal awards during the recipient's fiscal year must obtain an audit conducted for that year in accordance with the provisions of 45 CFR 96.31.

Recipients are responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the Federal Audit Clearinghouse Visit disclaimer page (FAC) within the earlier of 30 days after receipt or nine months after the FY's end of the audit period. The FAC operates on behalf of the OMB.

For specific questions and information concerning the submission process: Visit the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb> or Call FAC at the toll-free number: (800) 253-0696

Reporting Requirements:

Federal Financial Report (FFR)

The recipient is required to submit a Federal Financial Report (FFR) 90 days after the close of the performance period (project period). The SF-425 shall report total funds obligated and total funds expended by the grantee.

Effective January 1, 2021, award recipients are required to submit the SF-425 Federal Financial Report (FFR) via the Payment Management System (PMS). If the individual

responsible for FFR submission does not already have an account with PMS, please [contact PMS](#) to obtain access.

Recipients must liquidate all obligations incurred under an award not later than ninety (90) days after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, *Federal Financial Report* (FFR). After ninety (90) days, letter of credit accounts are locked. SAMHSA does not approve extensions to the ninety (90) day post-award reconciliation/liquidation period. Therefore, recipients are expected to complete all work and reporting within the approved project period and the aforementioned 90-day post-award reconciliation/liquidation period. Recipients (late) withdrawal requests occurring after the aforementioned periods are denied. In rare instances, SAMHSA may approve an extension to submit a FINAL SF-425 FFR report, but this is *not* an extension of the 90-day post award reconciliation/liquidation period, but rather only an extension to submit the Final SF-425 report (FFR).

Annual Report

Reporting on the ARPA funding is required. States must prepare and submit their respective reports utilizing WebBGAS. Failure to comply with these requirements may cause the initiation of enforcement actions that can culminate in discontinuation of MHBG grants.

Your assigned MHBG Program Official will provide further guidance and additional submission information.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

Staff Contacts:

Michelle Gleason, Program Official
Phone: 240-276-1941 **Email:** Michelle.Gleason@samhsa.hhs.gov

Wendy Pang, Grants Specialist
Phone: (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430

Exhibit F

From: [Herb, Amy \(DHSS\)](#)
To: [SingletaryTwyman, Michelle \(DHSS\)](#)
Subject: Fw: B08TI083979: Termination Notice for COVID-19 Grant Funding
Date: Friday, March 28, 2025 8:11:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

APRA SUPTRS

AMY M. HERB

Planner IV

[Delaware Department of Health and Social Services](#)
[Division of Substance Abuse and Mental Health](#)

Herman M. Holloway Sr. Health and Social Services Campus
1901 N. DuPont Highway, New Castle, DE 19720
Office: (302) 255-9139
amy.herb@delaware.gov

Disclaimer: This message most likely contains CONFIDENTIAL and/or LEGALLY PRIVILEGED information intended only for the addressee(s). Unauthorized reading, distributing or copying this message is prohibited.

From: Nash-Mccarter, Nekesha (SAMHSA/CSAT) <Nekesha.Nash-mccarter@samhsa.hhs.gov>
Sent: Tuesday, March 25, 2025 8:34 AM
To: Teitelbaum, Alexis (DHSS) <alexis.teitelbaum@delaware.gov>
Cc: Marti, Frances (DHSS) <Frances.Marti@delaware.gov>; SingletaryTwyman, Michelle (DHSS) <Michelle.Twyman@delaware.gov>; Waninger, Brent T (DHSS) <Brent.Waninger@delaware.gov>; Herb, Amy (DHSS) <Amy.Herb@delaware.gov>; Champney, Joanna (DHSS) <Joanna.Champney@delaware.gov>
Subject: RE: B08TI083979: Termination Notice for COVID-19 Grant Funding

Good morning All,

I am copying in Amy and Joanna as my POCs for the COVID-19 Supplemental Funding.

Nekesha McCarter, M.S

Public Health Advisor

Substance Abuse and Mental Health Services Administration (SAMHSA)

Center for Substance Abuse Treatment (CSAT)

Division of State and Community Systems (DSCS) | State Systems Partnership Branch (SSPB)

Phone: (202) 961-7527

From: Teitelbaum, Alexis (DHSS) <alexis.teitelbaum@delaware.gov>

Sent: Tuesday, March 25, 2025 7:49 AM

To: Pang, Wendy (SAMHSA/OFR) <Wendy.Pang@samhsa.hhs.gov>

Cc: Nash-Mccarter, Nekesha (SAMHSA/CSAT) <Nekesha.Nash-mccarter@samhsa.hhs.gov>;

eracorrespondence@od.nih.gov; Marti, Frances (DHSS) <Frances.Marti@delaware.gov>;

SingletaryTwyman, Michelle (DHSS) <Michelle.Twyman@delaware.gov>; Waninger, Brent T (DHSS)

<Brent.Waninger@delaware.gov>

Subject: RE: B08TI083979: Termination Notice for COVID-19 Grant Funding

Wendy,

Thank you for sending. I am no longer with DSAMH, so I am CC'ing the people engaged with DSAMH in leadership roles that will need this information and can let you know who the POC should be for notices/updates like these. Thank you so much for your time and I am sure DSAMH representatives will be in touch soon. Thanks, and have a great week. Alexis

Alexis Teitelbaum, MSW

Fiscal Administrator I

Delaware Department of Health and Social Services

Office of the Secretary – Administration – Financial Management

Herman M. Holloway Sr. Health and Social Services Campus

1901 N. Dupont Highway

Main Administration Building

New Castle, DE 19720

Office: 302-255-9379

alexis.teitelbaum@delaware.gov



Help is here



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From: wendy.pang@samhsa.hhs.gov <wendy.pang@samhsa.hhs.gov>
Sent: Monday, March 24, 2025 5:39 PM
To: Teitelbaum, Alexis (DHSS) <alexis.teitelbaum@delaware.gov>; Teitelbaum, Alexis (DHSS) <alexis.teitelbaum@delaware.gov>
Cc: Nekesha.Nash-McCarter@samhsa.hhs.gov; wendy.pang@samhsa.hhs.gov; eracorrespondence@od.nih.gov
Subject: B08TI083979: Termination Notice for COVID-19 Grant Funding

Dear Single State Authority Director and State Mental Health Commissioner,
During the COVID-19 pandemic, the Substance Abuse Mental Health Services Administration (SAMHSA) awarded several pandemic-related grants including the funded [Coronavirus Preparedness and Response Supplemental Appropriations Act](#), 2020 (H.R.6074) (CRRSA) which provided funds to respond to the coronavirus outbreak and the [American Rescue Plan](#) (ARP) Act of 2021(H.R. 1319) which provided additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.

On April 10, 2023, President Biden signed [PL 188-3](#) terminating the national emergency concerning the COVID-19 pandemic. Consistent with the President's Executive Order 14222, Implementing the President's "Department of Government Efficiency" Cost Efficiency Initiative requiring a comprehensive review of SAMHSA grants, and where appropriate and consistent with applicable law, terminate such grants to reduce the overall Federal spending **this grant is being terminated effective March 24, 2025**. These grants were issued for a limited purpose: To ameliorate the effects of the pandemic. The end of the pandemic provides cause to terminate COVID-related grants. Now that the pandemic is over, the grants are no longer necessary.

In accordance with [45 CFR 96.30 \(4\)](#), block grant award recipients are required to provide a Financial Status Report (FFR) within 90 days of the close of the applicable statutory grant period. Recipients must liquidate all obligations incurred under an award after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, Federal Financial Report (FFR). Reimbursements after termination are allowable if it results from obligations which were properly incurred before the effective date of this termination.

Recipients are expected to complete all work immediately and the reconciliation/liquidation process no later than 90-days after the award period end date.

The related Payment Management System accounts will be restricted from drawdown going further. Additional information will be provided in the revised Notice of Award that will be issued to initiate the award period end date.

[[Correspondence Token: 415ba208-fd68-4a37-a621-1fb7fab806b3]] -- Do not delete or change this line. --

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Exhibit G

From: [Herb, Amy \(DHSS\)](#)
To: [SingletaryTwyman, Michelle \(DHSS\)](#)
Subject: Fw: B09SM085340: Termination Notice for COVID-19 Grant Funding
Date: Friday, March 28, 2025 8:11:40 PM

CMHBG - ARPA

AMY M. HERB

Planner IV

[Delaware Department of Health and Social Services](#)
[Division of Substance Abuse and Mental Health](#)

Herman M. Holloway Sr. Health and Social Services Campus
1901 N. DuPont Highway, New Castle, DE 19720
Office: (302) 255-9139
amy.herb@delaware.gov

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From: Mckinney, Christopher (SAMHSA/CMHS) <Christopher.Mckinney@samhsa.hhs.gov>
Sent: Tuesday, March 25, 2025 2:12 PM
To: Herb, Amy (DHSS) <Amy.Herb@delaware.gov>; Crumbacker, Jessica (DHSS) <jessica.crumbacker@delaware.gov>
Subject: FW: B09SM085340: Termination Notice for COVID-19 Grant Funding

FYI, I will have further information soon.

CJ McKinney, PhD, PStat®
Public Health Advisor/Government Project Officer
SAMHSA-CMHS-DSCSD-SCPGB
U.S. Department of Health and Human Services
5600 Fishers Lane
Rockville, MD 20857
240-276-2095

From: katrina.morgan@samhsa.hhs.gov <katrina.morgan@samhsa.hhs.gov>
Sent: Monday, March 24, 2025 3:50 PM
To: Alexis.teitelbaum@delaware.gov; Michelle.Twyman@delaware.gov
Cc: Mckinney, Christopher (SAMHSA/CMHS) <Christopher.Mckinney@samhsa.hhs.gov>; Pang, Wendy (SAMHSA/OFR) <Wendy.Pang@samhsa.hhs.gov>; eracorrespondence@od.nih.gov
Subject: B09SM085340: Termination Notice for COVID-19 Grant Funding

Dear Single State Authority Director and State Mental Health Commissioner,

During the COVID-19 pandemic, the Substance Abuse and Mental Health Services Administration (SAMHSA) awarded several pandemic-related grants including the funded [Coronavirus Preparedness and Response Supplemental Appropriations Act](#), 2020 (H.R.6074) (CRRSA) which provided funds to respond to the coronavirus outbreak and the [American Rescue Plan](#) (ARP) Act of 2021(H.R. 1319) which provided additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.

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[[Correspondence Token: 16d72aec-c35f-4ab9-951e-cc968cf05a06]] -- Do not delete or change this line. --

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